

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

Plaintiff,

-vs-

Criminal Action No.
19-00145-09-CR-W-DGK

YADER J. ARITA,

Defendant.

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

The following matters were discussed and action taken during the pretrial conference:

PENDING CHARGES: Count One: Conspiracy to Distribute Methamphetamine and Heroin, *in violation of* 21 U.S.C. §§ 841(a)(1), (b)(1)(A) and 846
Count Two: Conspiracy to Commit Money Laundering, *in violation of* 18 U.S.C. §§ 1956(a)(1)(A)(i), (B)(i), (ii) and (h)
Count Three: Possession of Firearms and Drug Trafficking, *in violation of* 18 U.S.C. § 924(c)(1)(A)(i)

Criminal Forfeiture pursuant to 21 U.S.C. § 853

TRIAL COUNSEL:

Government: Bruce Rhoades & Robert Smith

Case Agent: None

Defense: David Guastello

OUTSTANDING MOTIONS: None

ANTICIPATED MOTIONS: Standard Motions in Limine

TRIAL WITNESSES:

Government: 12-13 with stipulations; 15 without stipulations

Defense: 2 witnesses, including Defendant who may testify

TRIAL EXHIBITS:

Government: 25 exhibits

Defense: 3 exhibits

DEFENSES:

- ☒ defense of general denial
☐ defenses of general denial and _____

POSSIBLE DISPOSITION:

- ☐ Definitely for trial ☒ Possibly for trial
☐ Motion to continue to be filed ☐ Likely a plea will be worked out

TRIAL TIME: 3 days

Government's case including jury selection: 2 ½ days

Defense case: ½ days

STIPULATIONS:

- ☐ not likely
☐ not appropriate
☒ possible as to:
☒ chain of custody
☒ chemist's reports
☒ prior felony conviction
☐ interstate nexus of firearm
☒ foundation

UNUSUAL QUESTIONS OF LAW: None

FILING DEADLINES:

Witness and Exhibit Lists:

Government: July 5, 2022

Defense: July 5, 2022

Counsel are requested to list witnesses in alphabetical order on their witness list.

Exhibit Index, Voir Dire, Jury Instructions: July 5, 2022

Jury instructions must comply with Local Rule 51.1

Motions in Limine: July 5, 2022

TRIAL SETTING: Criminal jury trial docket commencing July 18, 2022

Please note: *The Government requests the first week of the docket due to witness availability. Defense counsel has a matter in the District of Kansas scheduled on July 20, 2022, which he believes could be continued.*

OTHER:

- ☒ The Government will provide an interpreter for two of its witnesses.
☐ Other assistive devices: _____

IT IS SO ORDERED.

/s/ Jill A. Morris
JILL A. MORRIS
United States Magistrate Judge